

Amendments to the Drawings:

The attached sheets of drawings includes changes to Figures 1, 3 and 4.

These sheets, which include Figure 1, 3 and 4, replace the original sheets including Figures 1, 3 and 4.

REMARKS

Upon entry of this amendment, independent claim 1 with dependent claims 2-14 and 16-20 will be present in the application.

Claim 1 has been amended to include the limitations of claim 15. Claims 16-19 have been amended to depend from claim 1. Claims 6 and 13 have been amended to conform to claim 1. Figure 1 has been amended to include the legend –Prior Art– and Figures 3 and 4 have been amended to include reference numerals 14 and 15 for the iris diaphragm and toothed profile, respectively, in response to the objections to the drawings. The Applicant respectfully submits that the amendments do not introduce new matter.

Claims 13 and 14 rejected under 35 U.S.C. § 112, first paragraph, the Office Action contending that it is unclear how the ring (13) functions as a deflaking unit. The subject specification teaches that “the separating unit of the screen according to the invention should preferably contain a deflaking unit. Advantageously, the deflaker should take the form of one or several rings mounted on the housing or screen basket and/or on the rotor. The shape of the mountings used corresponds to models that are already known in themselves, while additional hydraulic guiding elements can be included in order to set differential pressures.” Page 5, lines 1-7. The Applicant respectfully submits that a person of ordinary skill in the art would understand that the ring 13 of the subject invention would provide the mechanical forces necessary to dismantle fiber bundles and function as a deflaking unit.

Claim 19 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 19 has been amended to recite “a deflaking unit”.

Claims 1-8, 13 and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. 6,290,067 (Bergdahl et al.), the Office Action contending that Bergdahl discloses “a substantially parabolic rotor (7)”. The Applicants respectfully submit that there is no support for this allegation, and that the Bergdahl specifically teaches that the rotor disclosed therein “has a **truncated conical circumferential wall 13**”. “It is axiomatic that for prior art to anticipate under § 102 it has to meet every element of the claimed invention.” Transco Products Inc. v. Performance Contracting Inc., 23 USPQ2d 1691,

1694 (N.D. Ill. 1992), see also Hybritech Inc. v. Monoclonal Antibodies, Inc., 213 USPQ 81 (Fed. Cir. 1986) and Stoller v. Ford Motor Co., 18 USPQ2d 1545, 1547 (Fed. Cir. 1991). Since Bergdahl does not disclose the parabolic rotor of the subject invention, the rejection must be withdrawn. Further, it cannot logically be argued that the truncated conical rotor of Bergdahl is substantially identical to the parabolic rotor of the subject invention. The parabolic rotor of the subject invention provides a constant axial flow speed inside the screen basket at an assumed uniform flow through the screen basket. A truncated conical rotor does not provide such a flow pattern.

Claim 1 has been amended to include the limitations of claim 15. Claims 15-19 were rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Bergdahl '769 and Bergdahl '067 in view of Applicant's Admitted Prior Art, the Office Action contending that "it is well known to design screens as multistage units" in view of Applicants' statement on page 2, line 15.

Page 2, lines 15-16 of the subject specification states that "[i]t is also known that screens can be designed as multi-stage units, comprising several separation stages one after another." While this admits that multistage units are known, the teaching regarding the nature of such structures is limited to the statement that they comprise "several separation stages one after another. The broadest application of such teaching to the combination of references cited the Office Action will merely produce a screening apparatus having multiple separation units. However, merely duplicating the separation unit disclosed in these references will not produce the device recited in claim 1.

Claim 1 also recites that the single rotor extends axially through all of the separation units. Claim 1 further recites that this common rotor includes a rotor segment disposed within each of the separation units, with each rotor segment having a substantially parabolic shape adapted to the flow conditions in the associated separation unit. In other words, the screen of the subject invention includes a single common rotor having a rotor segment associated with each of the separation units. Each of these rotor segments has a substantially parabolic shape adapted to the flow conditions in the associated separation unit. Accordingly, each rotor segment is matched to an associated separation unit in a very specific manner. It is not possible to produce such a rotor by mere duplication, and this rotor structure is not taught or suggested by the cited portion of the subject specification.

MPEP § 706.02(j) states “[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. ... the prior art reference (or references when combined) must teach or suggest all the claim limitations.” See also MPEP §§ 2142 and 2143. The rejection of claim 15 clearly makes no effort to show where the common rotor is taught or suggested in the prior art. Since this limitation is now included in claim 1, claim 1 must be allowed.

The various dependent claims add additional features to the independent claims, and are therefore believed to be allowable. Also, the dependent claims are believed patentably distinct on their own merits as being directed to combinations not suggested by the references.

In view of the above-directed amendments and the proceeding remarks, prompt and favorable reconsideration is respectfully requested.

Respectfully submitted,
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